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PATENT
Attorney Docket No.: 16222U-011310US
Client Reference No.: 3514

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On

November 12, 2004



TOWNSEND and TOWNSEND and CREW LLP

By:

MT Davis
Mark T. Davis

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Paul Spaeth et al.

Application No.: 10/660,328

Filed: September 10, 2003

For: OPT-IN/OPT-OUT IN LOYALTY
SYSTEM

Examiner: Not Yet Assigned

Art Unit: 3626

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37
CFR §1.97 and §1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the non-U.S. references are enclosed. In accordance with the USPTO waiver of the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. patent applications filed after June 30, 2003, applicant has not submitted copies of the U.S. references.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /YR/

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Brian N. Young
Reg. No. 48,602

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
BNY:mtd
60350339 v1

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PATENT & TRADEMARK OFFICE

PTO/SB/08A (08-03)

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known Application Number 10/660,328 Filing Date September 10, 2003 First Named Inventor Paul Spaeth Art Unit 3626 Examiner Name Not Yet Assigned Attorney Docket Number 16222U-011310US	
Sheet	1	of	

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	AA	US-3,936,933	02-03-1976	Tanaka et al.	
	AB	US-4,011,433	03-06-1977	Tateisi et al.	
	AC	US-4,108,350	08-22-1978	Forbes, Jr.	
	AD	US-4,124,109	11-07-1978	Bissell et al.	
	AE	US-4,195,864	04-01-1980	Morton et al.	
	AF	US-4,412,631	11-01-1983	Haker	
	AG	US-4,544,590	10-01-1985	Egan	
	AH	US-4,568,403	02-04-1986	Egan	
	AI	US-4,674,041	06-16-1987	Lemon et al.	
	AJ	US-4,723,212	02-02-1986	Mindrum et al.	
	AK	US-4,742,215	05-03-1988	Daughters et al.	
	AL	US-4,794,530	12-27-1988	Yukiura et al.	
	AM	US-4,825,053	04-25-1989	Calte	
	AN	US-4,837,422	06-06-1989	Dethloff et al.	
	AO	US-4,841,712	06-27-1989	Rouu	
	AP	US-4,868,376	09-19-1989	Lessin et al.	
	AQ	US-4,882,675	11-21-1989	Nichtberger et al.	
	AR	US-4,910,672	03-20-1990	Off et al.	
	AS	US-4,930,129	05-29-1990	Takahira	
	AT	US-4,941,090	07-10-1990	McCarthy	
	AU	US-4,949,256	08-14-1990	Humble	
	AV	US-4,954,003	09-04-1990	Shea	
	AW	US-4,985,615	01-15-1991	Iijima	
	AX	US-4,992,940	02-12-1991	Dworkin	
	AY	US-5,019,452	05-28-1991	Watanabe et al.	
	AZ	US-5,019,696	05-28-1991	Itako	
	BA	US-5,025,372	06-18-1991	Burton et al.	
	BB	US-5,056,019	10-06-1991	Schultz et al.	
	BC	US-5,060,793	10-29-1991	Hyun et al.	
	BD	US-5,060,804	10-29-1991	Beales et al.	
	BE	US-5,063,596	11-05-1991	Dyke	
	BF	US-5,161,256	11-03-1992	Iijima	
	BG	US-5,115,888	05-26-1992	Schneider	
	BH	US-5,117,355	05-26-1992	McCarthy	
	BI	US-5,128,752	07-07-1992	Von Kohom	
	BJ	US-5,173,851	12-22-1992	Off et al.	
	BK	US-5,185,695	02-09-1993	Pruchnicki	
	BL	US-5,200,689	04-06-1993	Mori	
	BM	US-5,202,826	04-13-1993	McCarthy	
	BN	US-5,227,874	07-13-1993	Von Kohom	
	BO	US-5,256,863	10-26-1993	Ferguson et al.	
Examiner Signature	/Yehdega Retta/			Date Considered	12/11/2008

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbol as follows: 1. Invention (I), 2. Utility Model (U), 3. Design (D), 4. Layout-Design (L), 5. Topography (T), 6. Plant Variety (P), 7. Other (O). ⁶ If the document is in a language other than English, please place a checkmark next to English language translation is attached.

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Substitute for form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/660,328
		Filing Date	September 10, 2003
		First Named Inventor	Paul Spaeth
		Art Unit	3626
		Examiner Name	Not Yet Assigned
Sheet 2	of	Attorney Docket Number	16222U-011310US

U.S. PATENT DOCUMENTS*					
Examiner Initials*	Cite No. ¹	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	BP	US-5,285,278	02-08-1994	Holman	
	BQ	US-5,287,181	02-15-1994	Holman	
	BR	US-5,287,268	02-15-1994	McCarthy	
	BS	US-5,299,834	04-05-1994	Kraige	
	BT	US-5,308,120	05-03-1994	Thompson	
	BU	US-5,353,218	10-04-1994	De Lapa et al.	
	BV	US-5,402,549	04-04-1995	Forrest	
	BW	US-Re. 34,915	04-25-1995	Nichberger et al.	
	BX	US-5,417,458	05-23-1995	Best et al.	
	BY	US-5,420,606	05-30-1995	Begum et al.	
	BZ	US-5,380,991	01-10-1995	Valencia et al.	
	CA	US-5,450,938	09-19-1995	Rademacher	
	CB	US-5,466,010	11-14-1995	Spooner	
	CC	US-5,471,669	11-28-1995	Lidman	
	CD	US-5,473,690	12-05-1995	Grimonprez et al.	
	CE	US-5,483,444	01-09-1996	Heintzman et al.	
	CF	US-5,484,998	01-16-1996	Bejnar et al.	
	CG	US-5,491,326	02-13-1996	Marceau et al.	
	CH	US-5,491,838	02-13-1996	Takahisa et al.	
	CI	US-5,500,681	03-19-1996	Jones	
	CJ	US-5,501,491	03-26-1996	Thompson	
	CK	US-5,513,102	04-30-1996	Aurlemma	
	CL	US-5,515,270	05-07-1996	Weinblatt	
	CM	US-5,530,232	06-25-1996	Taylor	
	CN	US-5,531,482	07-02-1996	Blank	
	CO	US-5,535,118	07-09-1996	Chumbley	
	CP	US-5,537,314	07-16-1996	Kanter	
	CQ	US-5,559,313	09-24-1996	Claus et al.	
	CR	US-5,564,073	10-08-1996	Takahisa	
	CS	US-5,577,266	11-19-1996	Takahisa et al.	
	CT	US-5,577,915	11-26-1996	Feldman	
	CU	US-5,578,808	11-26-1996	Taylor	
	CV	US-5,579,537	11-26-1996	Takahisa	
	CW	US-5,594,493	01-14-1997	Nemirofsky	
	CX	US-5,612,868	03-18-1997	Off et al.	
	CY	US-5,621,812	04-15-1997	Deaton et al.	
	CZ	US-5,642,485	06-24-1997	Deaton et al.	
	DA	US-5,644,723	07-01-1997	Deaton et al.	
	DB	US-5,649,114	07-15-1997	Deaton et al.	
	DC	US-5,649,118	07-15-1997	Carlisle et al.	
	DD	US-5,650,209	07-22-1997	Ramsburg et al.	
Examiner Signature	/Yehdega Retta/			Date Considered	12/11/2008

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60350339 v1

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/660,328
		Filing Date	September 10, 2003
		First Named Inventor	Paul Spaeth
		Art Unit	3626
		Examiner Name	Not Yet Assigned
Sheet 4 of	Attorney Docket Number	16222U-011310US	

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	ET	US-5,903,732	05-11-1999	Reed et al.	
	EU	US-5,905,246	05-18-1999	Fajkowski	
	EV	US-5,905,908	05-18-1999	Wagner	
	EW	US-5,907,350	05-25-1999	Nemirofsky	
	EX	US-5,907,830	05-25-1999	Engel et al.	
	EY	US-5,909,486	06-01-1999	Walker et al.	
	EZ	US-5,912,453	06-15-1999	Gungl et al.	
	FA	US-5,915,244	06-22-1999	Jack et al.	
	FB	US-5,924,072	07-13-1999	Havens	
	FC	US-5,926,795	07-20-1999	Williams	
	FD	US-5,928,082	07-27-1999	Clapper, Jr.	
	FE	US-5,931,947	08-03-1999	Burns et al.	
	FF	US-5,943,651	08-24-1999	Oosawa	
	FG	US-5,950,173	09-07-1999	Perkowski	
	FH	US-5,953,705	09-14-1999	Oneda	
	FI	US-5,956,695	09-21-1999	Canthers et al.	
	FJ	US-5,953,047	09-14-1999	Nemirofsky	
	FK	US-5,956,694	09-21-1999	Powell	
	FL	US-5,956,174	09-28-1999	Ramsberg et al.	
	FM	US-5,960,082	09-28-1999	Haenel	
	FN	US-5,963,917	10-05-1999	10-05-1999	
	FO	US-5,969,318	10-19-1999	Mackenthun	
	FP	US-5,970,469	10-19-1999	Scroggie et al.	
	FQ	US-5,974,399	10-26-1999	Giuliani et al.	
	FR	US-5,974,549	10-26-1999	Golan	
	FS	US-5,978,013	11-02-1999	Jones et al.	
	FT	US-5,987,795	11-23-1999	Wilson	
	FU	US-5,997,042	12-07-1999	Blank	
	FV	US-6,000,608	12-14-1999	Dorf	
	FW	US-6,002,771	12-14-1999	Nielsen	
	FX	US-6,003,113	12-14-1999	Hoshino	
	FY	US-6,003,134	12-14-1999	Kuo et al.	
	FZ	US-6,009,411	12-28-1999	Kespecs	
	GA	US-6,012,635	01-11-2000	Shimada et al.	
	GB	US-6,014,634	01-11-2000	Scroggie et al.	
	GC	US-6,024,286	02-15-2000	Bradley et al.	
	GD	US-6,035,280	03-07-2000	Christensen	
	GE	US-6,038,551	03-14-2000	Barlow et al.	
	GF	US-6,041,309	03-21-2000	Laor	
	GG	US-6,047,325	04-04-2000	Jain et al.	
	GH	US-6,049,778	04-11-2000	Walker et al.	
Examiner Signature	/Yehdega Retta/		Date Considered	12/11/2008	

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 60350339 v1

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Substitute for form 1449A/PTO		Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/660,328	
		Filing Date	September 10, 2003	
		First Named Inventor	Paul Spaeth	
		Art Unit	3626	
		Examiner Name	Not Yet Assigned	
Sheet	5	of	Attorney Docket Number	16222U-011310US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	GI	US-6,052,468	04-18-2000	Hillhouse	
	GJ	US-6,052,690	04-18-2000	de Jong	
	GK	US-6,052,785	04-18-2000	Lin et al.	
	GL	US-6,055,509	04-25-2000	Powell	
	GM	US-6,061,660	05-09-2000	Eggleston et al.	
	GN	US-6,067,526	05-23-2000	Powell	
	GO	US-6,070,147	05-30-2000	Harms et al.	
	GP	US-6,073,238	06-06-2000	Drupsteen	
	GQ	US-6,076,068	06-13-2000	DeLape et al.	
	GR	US-6,076,069	06-13-2000	Laor	
	GS	US-6,089,611	07-18-2000	Blank	
	GT	US-6,094,656	07-25-2000	De Jong	
	GU	US-6,101,422	08-08-2000	Furlong	
	GV	US-6,101,477	08-08-2000	Hohle et al.	
	GW	US-6,105,002	08-15-2000	Powell	
	GX	US-6,105,865	08-22-2000	Hardesty	
	GY	US-6,105,873	08-22-2000	Jeger	
	GZ	US-6,112,987	09-05-2000	Lambert et al.	
	HA	US-6,112,988	09-05-2000	Powell	
	HB	US-6,119,933	09-19-2000	Wong et al.	
	HC	US-6,119,945	09-19-2000	Muller et al.	
	HD	US-6,122,631	09-19-2000	Berbec et al.	
	HE	US-6,129,274	10-10-2000	Suzuki	
	HF	US-6,144,948	11-07-2000	Walker et al.	
	HG	US-6,151,586	11-21-2000	Brown	
	HH	US-6,151,587	11-21-2000	Matthias	
	HI	US-6,154,751	11-28-2000	Ault et al.	
	HJ	US-6,161,870	12-19-2000	Blank	
	HK	US-6,164,549	12-26-2000	Richards	
	HL	US-6,170,061 B1	01-02-2001	Beser	
	HM	US-6,173,289 B1	01-09-2001	Sokol et al.	
	HN	US-6,173,891 B1	01-16-2001	Powell	
	HO	US-6,179,205 B1	01-30-2001	Sloan	
	HP	US-6,179,710 B1	01-30-2001	Sawyer et al.	
	HQ	US-6,183,017 B1	02-06-2001	Najor et al.	
	HR	US-6,185,541 B1	02-06-2001	Scroggle et al.	
	HS	US-6,189,100 B1	02-13-2002	Barr et al.	
	HT	US-6,189,878 B1	02-20-2001	Dorf	
	HU	US-6,195,666 B1	02-27-2001	Schneck et al.	
	HV	US-6,210,276 B1	04-03-2001	Mullins	
	HW	US-6,216,014 B1	04-10-2001	Proust et al.	
Examiner Signature	/Yehdega Retta/			Date Considered	12/11/2008.

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		First Named Inventor	Paul Spaeth	
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		Examiner Name	Not Yet Assigned	
Sheet	8	of	Attorney Docket Number	16222U-011310US

FOREIGN PATENT DOCUMENTS								
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		Country Code ²	Number ⁴	Kind Code ³ (if known)				
	KU	WO	01/44949	A2	06-21-2001			<input type="checkbox"/>
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	LC	WO	01/67694	A1	09-13-2001			<input type="checkbox"/>
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	LE	WO	01/71679	A2	09-27-2001			<input type="checkbox"/>
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	LK	WO	01/84474	A2	11-08-2001			<input type="checkbox"/>
	LL	WO	01/84512	A1	11-08-2001			<input type="checkbox"/>
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	LN	WO	02/06948	A1	01-24-2002			<input type="checkbox"/>
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	LQ	WO	02/15037	A1	02-21-2002			<input type="checkbox"/>
	LR	WO	02/21315	A1	03-14-2002			<input type="checkbox"/>
	LS	WO	02/29577	A2	04-11-2002			<input type="checkbox"/>
	LT	WO	02/088895	A2	11-07-2002			<input type="checkbox"/>
	LU	EP	0203424	A2	12-03-1986		Abstract attached	<input checked="" type="checkbox"/>
	LV	EP	0292248	A2	11-23-1988			<input type="checkbox"/>
	LW	EP	0475837	A1	03-18-1992		Abstract attached	<input checked="" type="checkbox"/>
	LX	EP	0540095	A1	05-05-1993			<input type="checkbox"/>
	LY	EP	0658862	A2	06-21-1995			<input type="checkbox"/>
	LZ	EP	0675614	A1	10-04-1995		Abstract attached	<input checked="" type="checkbox"/>
	MA	EP	0682327	A2	11-15-1995			<input type="checkbox"/>
	MB	EP	0675841	A2	11-04-1998			<input type="checkbox"/>
	MC	EP	0936530	A1	08-18-1999			<input type="checkbox"/>
	MD	EP	0938050	A2	08-25-1999			<input type="checkbox"/>
	ME	EP	0938051	A2	08-25-1999			<input type="checkbox"/>
	MF	EP	0944007	A2	09-22-1999			<input type="checkbox"/>
	MG	EP	0949595	A2	10-13-1999			<input type="checkbox"/>
	MH	EP	0982692	A2	03-01-2000			<input type="checkbox"/>

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Sheet	9	of	Attorney Docket Number	16222U-011310US

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	f
		Country Code ³	Number ⁴ Kind Code ⁵ (if known)				
	MI	EP	0984404 A2	03-08-2000			<input type="checkbox"/>
	MJ	EP	1085395 A2	03-21-2001			<input type="checkbox"/>
	MK	EP	1102320 A1	05-23-2001		Abstract attached	<input checked="" type="checkbox"/>
	ML	EP	1111505 A1	06-27-2001			<input type="checkbox"/>
	MM	EP	1113387 A2	07-04-2001			<input type="checkbox"/>
	MN	EP	1113407 A2	07-04-2001			<input type="checkbox"/>
	MO	EP	1168137 A1	01-02-2002			<input type="checkbox"/>
	MP	EP	1233333 A1	08-21-2002			<input type="checkbox"/>
	MQ	AU	200039412 A1	12-14-2000			<input type="checkbox"/>
	MR	BE	1002756 A6	05-28-1991		Abstract attached	<input checked="" type="checkbox"/>
	MS	CA	2267041	09-26-2000			<input type="checkbox"/>
	MT	CA	2293944	08-02-2000			<input type="checkbox"/>
	MU	CA	2317138 A1	01-25-2002			<input type="checkbox"/>
	MV	DE	19522527 A1	01-02-1997		Abstract attached	<input checked="" type="checkbox"/>
	MW	DE	19960978 A1	08-03-2000		Abstract attached	<input checked="" type="checkbox"/>
	MX	DE	19848712 A1	04-27-2000		Abstract attached	<input checked="" type="checkbox"/>
	MY	DE	10015103 A1	10-12-2000		Abstract attached	<input checked="" type="checkbox"/>
	MZ	FR	2772957 A1	06-25-1999		Abstract attached	<input checked="" type="checkbox"/>
	NA	FR	2793048 A1	11-03-2000		Abstract attached	<input checked="" type="checkbox"/>
	NB	FR	2794543 A1	12-08-2000		Abstract attached	<input checked="" type="checkbox"/>
	NC	FR	2796176 A1	01-12-2001		Abstract attached	<input checked="" type="checkbox"/>
	ND	FR	2804234 A1	07-27-2001		Abstract attached	<input checked="" type="checkbox"/>
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	NF	GB	2343091 A	04-26-2000			<input type="checkbox"/>
	NG	GB	2351379 A	12-27-2000			<input type="checkbox"/>
	NH	GB	2355324 A	04-18-2001			<input type="checkbox"/>
	NI	JP	2000-112864 A	04-21-2000		Abstract attached	<input checked="" type="checkbox"/>
	NJ	JP	2000-181764 A	06-30-2000		Abstract attached	<input checked="" type="checkbox"/>
	NK	JP	2001-202484 A	07-27-2001		Abstract attached	<input checked="" type="checkbox"/>
	NL	JP	2001-236232 A	08-31-2001		Abstract attached	<input checked="" type="checkbox"/>
	NM	KR	0039297 A	05-15-2001		Abstract attached	<input checked="" type="checkbox"/>
	NN	KR	0044823 A	06-05-2001		Abstract attached	<input checked="" type="checkbox"/>
	NO	KR	0058742 A	07-06-2001		Abstract attached	<input checked="" type="checkbox"/>
	NP	KR	0021237 A	03-20-2002		Abstract attached	<input checked="" type="checkbox"/>

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Substitute for form 1449B/PTO			Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Application Number	10/660,328	
			Filing Date	September 10, 2003	
			First Named Inventor	Paul Spaeth	
			Art Unit	3626	
			Examiner Name	Not Yet Assigned	
Sheet	10	of		Attorney Docket Number	16222U-011310US

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	NQ	"Internet based secure transactions using encrypting applets and cgi-scripts independent of browser or server capabilities"; 1998, IBM Research Disclosure, No. 410116, pp. 800-801.	

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